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**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

In re:  MEDIZONE INTERNATIONAL, INC.,  Debtor.	Case No. BK-S-18-12662-LEB  Chapter 7  <b>EX PARTE APPLICATION FOR AN ORDER                  SHORTENING TIME TO HEAR                  MOTION FOR APPROVAL OF                  BID PROCEDURES AND TO APPROVE                  SALE OF ESTATE PROPERTY                  FREE AND CLEAR OF ANY INTEREST</b>  [No Hearing Requested]
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Lenard E. Schwartzer ("Trustee"), Chapter 7 Trustee for the above-captioned bankruptcy case, by and through his counsel, Schwartzer & McPherson Law Firm, hereby files this *Ex Parte Application For An Order Shortening Time To Hear Motion For Approval Of Bid Procedures and To Approve Sale of Estate Property Free And Clear Of Any Interest* ("Application").

The Trustee requests that an initial hearing be held on shortened time on **July 24, 2018 at 2:30 p.m.** for entry of an order approving the proposed bid procedures, and that a subsequent and separate sale hearing be held **August 7, 2018, at 2:30 p.m.** to conduct the contemplated auction pursuant to the bid procedures, to confirm the auction results, and for approval of the sale and related relief.

1. The Trustee has filed a *Motion for Approval of Bid Procedures and to Approve Sale of Estate Property Free and Clear of Any Interest* ("Motion"), along with the supporting *Declaration of Lenard E. Schwartzer*.

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2. The Trustee has been granted authorization to operate the business for approximately 90 days from June 1, 2018 through August 31, 2018 [ECF No. 36] and has been authorized to borrow up to \$200,000.00 from creditors Edwin Marshall and Jill Marshall (the “Marshalls”) to fund said operation [ECF No. 40].

3. As detailed in the Motion, the Trustee seeks approval of bid procedures and authorization for the sale of substantially all of the assets of the bankruptcy estate, including but not limited to inventory, intellectual property, personal property, and goodwill, pursuant to 11 U.S.C. §363 and the terms set forth with more particularity in the *Purchase and Sale Agreement* (the “Purchase Agreement”) attached to the Motion as **Exhibit “1.”** The assets will be sold “as is,” without warranty, and free and clear of any liens, claims or encumbrances, and the sale expressly excludes any avoidance and recovery claims the Trustee may pursue pursuant to Chapter 5 of the Bankruptcy Code.

4. The Marshalls have offered to pay the Trustee \$500,000.00 cash upon closing to purchase the assets, pursuant to the Purchase Agreement, subject to overbids.

5. The Trustee anticipates competing bids, and therefore requests that the Court first hold a hearing on **July 24, 2018 at 2:30 p.m.** to approve bid procedures (the “Bid Procedure Hearing”) and set a separate subsequent hearing on **August 7, 2018, at 2:30 p.m.** to conduct the auction, to confirm the results of the auction, and for final approval of the sale (the “Sale Hearing”).

6. The Trustee is requesting that the initial Bid Procedure Hearing be heard on shortened time on July 24, 2018, because it is an express condition of the Purchase Agreement that the sale (and any auction) be conducted and confirmed no later than August 10, 2018, and to ensure that the sale closes by August 31, 2018, which is the end of the period the Trustee has been authorized to operate the business [ECF No. 36]. To meet these deadlines, the initial Bid Procedure Hearing must be held on slightly less than 28-days’ notice, but final Sale Hearing will be held over 28 days after notice goes out to creditors, shareholders and interested bidders.

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7. An additional complication is that the mailing matrix currently exceeds 2,250 parties so each round of noticing requires substantial time and expense. The Trustee is seeking to sell substantially all of the assets of the bankruptcy estate, so it must be noticed to the entire mailing matrix and interested bidders.